

HAMILTON COUNTY BOARD OF COMMISSIONERS
JUNE 23, 2003

The Hamilton County Board of Commissioners met on Monday, June 23, 2003 in Conference Room 1A in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. Commissioner Steven A. Holt, Commissioner Steven C. Dillinger and Commissioner Christine Altman were present.

Juvenile Detention Center Project Work Session:

Mr. Larry Dawson stated they requested this meeting to look at the operational costs for the Juvenile Detention Center. The Committee have looked at keeping the court space and the prosecution portion of those courts at the Judicial Center. We know how much square feet that will reduce from the building, but we need to present operational costs before the committee goes to county council for funding. The costs include all the programming at the Juvenile Detention Center, but not moving the probation offices. There is a question of where we are going to put the probation staff associated with the programming and where we are going to put the probation staff that is not associated with the programming. Mr. Bob Bragg presented the proposed operational costs for the Juvenile Justice needs. He looked at the projected numbers from Bobbie Huskey and what we have now and he projected the needs through 2010. We assumed the building will open January 1, 2006 with all the programs recommended by Bobbie Huskey in place. We looked at increasing costs 4% each year for out of the county secure detention. We also looked at residential placements and cost of the current average placement is an average of \$142.00 per child. We included 36% benefits package in addition to salaries and 8% of each person's salary to account for mileage, supplies, training and overtime to come up with an approximate cost to staff the new facility. This was compared to what it would cost to house the kids in residential facilities and secure detention if we don't have this facility in place. For 2005 staffing costs are 18 new positions - 2 probation officers, 15 correction officers and 1 nurse. This would be for the last three months of the year based on an opening date of January 1, 2006. This would be to train the correction officers and prepare them for opening the building. In 2006 staffing requests would be an additional 8 probation officers, 17 correction officers, 1 field officer, 1 counselor with a Masters in Social Work and 2 support staff for a total of 29 staff. In 2007 an additional 4 probation officers, 1 additional counselor with a Masters in Social Work for a total of 5 staff in 2007. This would be a total of 52 positions that we would need for the Juvenile Justice Detention Center for a total of 14 probation officers, 32 correction officers, 1 field officer, 1 nurse, 2 counselors and 2 support staff. Altman asked if the salary costs for 2006 is cumulative with what you have asked for in 2005 plus 2006? Mr. Bragg stated no. Altman asked how we more than double in costs from 2005 to 2010? Mr. Bragg stated they used the numbers that the Huskey report projected. Altman stated Huskey is projecting the population will double by 2010? Does the total population of the county match this segment of population? Mr. Bragg stated the numbers he has seen is 40% to 50%. Captain Stevens stated the Indianapolis Star has stated there are over 38,000 students in Hamilton County in grades 1 thru 12. 1/10 of 1% of that is 38 to 40. Currently we have a total of 67 kids in detention. Altman asked if the general population will grow at a percentage, is that mirroring your numbers on your projection for status quo? Mr. Bragg stated no, he is using the numbers Huskey projected for 2010. Discussion of the status quo and projections was held. Altman stated her concern is if we have accurate projections. Altman stated her question is if we build it, what is it going to cost to run it? Are the

task force numbers what the costs are to run it? Mr. Bragg stated these are the costs for the staff to run the programs and secure detention. He did not include cost of maintaining the building such as custodians, utilities, etc. This is cost of the staff to run the secure detention, post dispositional probation violator section and costs contracts for shelter care. Food costs and amortization for the bond issue for building the facility are not included. Altman stated if we house the juveniles out of state we would not incur the utilities, maintenance. We need a good bottom line on these costs. Holt asked if we are billed for health care if they are in an out of county facility? Mr. Bragg stated yes, if they are not covered by Medicaid. Holt stated we need to factor in health care. Mr. Dawson stated there is a legitimate question on the operational cost side with utilities and maintenance. We were not looking at debt service funding, we were looking at general fund for the operational costs. Ms. Madonna Roach stated we did not include what it currently costs to operate the detention center in the status quo. These are hard numbers on what it costs to take someone out of county. The status quo number would go up. Holt stated it would make sense to figure it on the status quo, which would include food and medical. Ms. Roach stated the status quo includes out of county, not what it costs to operate our center. Mr. Bragg stated the previous information did not include employee benefits package, training costs. We were looking at 2010 to 2015 and we want to go back and look at when we would first add staff and go thru 2010. (11:34:00) Altman stated she wants to know status quo, what it costs to operate, what are projecting in the future, what it is going to cost to build the facility, personnel. You have to have apples to apples. The council needs to know if they can afford to do this. Mr. Bragg stated on the status quo, the reason he did not include the detention center right now is these costs are associated with a new building with new programs. Looking at the status quo, the cost of running the facility he left the same, other than an increase in salaries. Ms. Roach stated you can never compare apples to apples because we are not running the programming now that we are hoping to run some day. Mr. Dawson asked if you want us to project operational costs to bring programming up to the same level? Altman stated isolate it, have another column telling us exactly what we are doing. Dillinger asked what is the point, whether we should build on or not build on? Altman stated the point is, is it more cost effective to house them out of county or to build and operate our own facility? Ms. Roach stated housing them out of county, they are not receiving the programming. Altman stated if our shift is away from residential, we can still do programming in county. We are not housing in county and operating such a large facility. Ms. Roach stated you are going to program and treat the kids sitting in a secure detention so you can move them out of there quicker and get them from just setting. You are constantly feeding those kids with programs so you can move them to a less secure environment. You can not do that if they are sitting in Muncie. Altman stated assuming where we take them has no programming. Ms. Roach stated it is not assuming, there is no programming. Mr. Dawson stated we did have an option of no programming. We made an assumption that we were going to just add on to the Juvenile Detention Center and the council rejected that idea because they wanted programming. We then brought in Huskey to do the study and at the end of that study the county wanted to provide programming for our juveniles. We are now at this point with the design of this facility in conjunction with the Huskey study for the programming and we had one conflict which was where the courts and prosecution staff were housed. We are back to a building that we are simply comparing general fund dollars for salaries to run this bigger facility and provide more programming space against doing nothing different than what we are doing right now. In that instance, comparing it to doing no programming and staying status quo we know we have a good projection of what our costs are. We have the costs of adding the staff to run the new facility. If

the goal is the same, then we need to do an estimate to bring the programming to staff under status quo, with a tremendous cost increase in transportation and look at adding utility costs for the building and capital costs reduction and see where those two are. Altman stated we have to remember we have a levy limit. All operational costs come out of county general levy limit. Altman stated she wants to make sure the numbers are realistic. Altman asked what were the results of contacting Boone County? Captain Stevens stated their project is not going, they are looking for places to send their kids. Altman stated she thought you were going to contact Boone County to see if they were interested in a contractual situation with Hamilton County as we build out. Captain Stevens stated the Sheriff is interested in Hamilton County as a resource for sending it's kids to. You will not find any county that will sign a contract, prior to a building being built that will say we will pay you "X" numbers of dollars per bed. Holt stated our experience from the last time was as soon as the building was up and running, people were glad to use it. He does not think that will be a problem. If this is done and with the programmatic aspects that are being proposed, lots of people will want to come to it. Dillinger stated if we had taken this long to decide on the last facility, we would not have the last one done. He does not know how much more information can be given. We are not going to solve the problems 20 years from now. We can only use our best estimates. We have the best bonding time right now and we need to get on this. Altman stated she does not disagree, we need to get the information to go to council. Altman stated she wants to know what it is going to cost to operate it so we can fund it. Her biggest concern is that we will build a facility and have no money to staff it. [11:48:06] Altman asked to schedule a meeting with council to see what their disposition is. If we want to move forward we need to sit down with council to see what they are going to fund. We have a consensus of what is going to be in the building. Her idea on the operation costs is to have preliminary have good numbers for council. Mr. Dawson stated we had intended that the joint meeting has to be a major presentation with everything included. We were going to ask for permission to go forward with a couple of stops along the way, one is to go to council no later than September. Altman stated what she has asked for is minor, to get a total bottom line. She would go to council as soon as possible. The only way we are going to find out where we are is to go to council. The only way it is going to get built is by bonding, it will have to be a property tax based bond because we have no COIT left. Mr. Dawson stated we could have that ready in one week. Altman would suggest we go to council in July. Mr. Dawson asked if we target the first week in August, would we be ok? Altman stated they will probably say we have to wait until budgets are through. We will know where we stand after budget hearings. We are looking at permission to bond to get it going. [11:51:44] Altman asked Ms. Mills to check with the State Board of Accounts to see if it is possible to borrow on an annual basis for operating costs. Ms. Mills asked Captain Stevens if he has looked at HB 1001 in regards to receiving a levy increase due to operating costs for a new facility? Captain Stevens stated he has not reviewed it. [11:55:19] Holt asked where are we with shelter care, this still envisions doing away with Hamilton Centers and the county providing shelter care? Mr. Bragg stated we have looked at part of the building being a shelter care facility, we have looked at contracting with Hamilton Centers or whoever might bid for that. Holt asked if that was the original proposal? Mr. Bragg stated yes. Mr. Dawson stated there were four issues discussed, one was courts, one was prosecution staff, one was shelter care and one was intake. Intake and shelter care are included as originally planned and courts and prosecution staff to go with the courts are not included. It reduces the square footage by 9,000 square feet to move the courts back to the Judicial Center. [11:56:23] Holt asked Ms. Roach to speak to the shelter care and why the county should be providing it

rather than another agency? Ms. Roach stated the national trend for a facility like this shows that better service can be offered to the kids when you are on a site location. If the county has control of shelter care they can set what programming the child gets and what needs are met for the children. We do not have that capability right now. We pay to house and get the kids whatever treatment that facility gives them. We have no recourse to control what kind of therapy they receive. Our thought was that the county would own the shelter care concept, which we could bring someone in to run it, but the county will say what kind of treatment they will receive. Captain Stevens stated by having the space at the site, you are able to tap in to the other amenities of the structure, such as computer labs or central library or specialized treatment areas that may not exist at a Hamilton Centers. Holt stated at Hamilton Centers the kids go through public school and in theory the programming would be available if transportation was available? Ms. Roach stated yes, with all the if's. Our concern is not necessarily security of the children but having to be able to tap in to all the programming at that site and knowing that there is 24 hour awake staff and they are monitored with the same quality care. We would be able to set that quality care that we are unable to do when we contract out. Holt asked what percentage of Hamilton Centers kids are ours? Mr. Bragg stated 100% most of the time. Holt asked if you make requests of Hamilton Centers that they ignore? Ms. Roach stated we make requests of them that they can not provide. The main thing is the physical structure that they provide was not designed for what they are using it for. It was built as a house and they are trying to use for shelter care. They can not supervise the kids as we would want them to be supervised. It is not that they are not making the effort to provide good care, it is inherent with the facility. Ms. Roach stated the entire concept has changed in regards to what kind of kids went in to that facility. Many times it was kids who were runaways or something was going on home that would not classify them as delinquent. That has changed over time. A lot of the kids at the Center are kids that the parents are not willing to have them at home and there are issues that need to be dealt with. One of our biggest issues is the staff, they don't have security type measures for their staff. [12:04:55] Captain Stevens asked Altman for a list of costs that she wants included? Altman stated what it costs now include in status quo and see what other than personnel is in that. There are grant opportunities and before design is when we decide if we want to make it bigger and serve another county, which would offset our costs. Ms. Roach stated it will offset our costs but it will increase everything as far as staff. You will be running it 100% from day one. We have growth in the probation department on the adult side that is not even answered to in regards to staff. Altman stated but hopefully your revenues concurrent with the increase and hopefully more than we anticipated. If that is not the case she is not interested. Mr. Dawson asked if you are comfortable with us projecting income? Altman stated that is why she wants to talk to Boone County regarding a possible letter of intent for use of our facilities. Holt stated he thinks she is making it more complicated by involving Boone County. Any county within 100 miles is going to use the facility. Altman stated her point is before the design stage do we want to add the other pod on, knowing we will be undersized? If we forward think on this, it will meet our needs for how long as conceptually designed. Holt asked if you added 30% there is still a \$5.5 million savings. Altman stated it is not an issue of savings, we walked in to this wanting to do programming because that is best for the kids. She wants to know what the realistic costs are and when we go to council come up with ideas of how we are going to pay for it. [12:10:52] Holt asked if you are uncomfortable with the theory of putting 1/3 on top for operations? That is what we are doing with the adult population. Altman stated as long as they know that is what we have done. Holt asked if we should work toward a July date? Altman stated she wants to sit down with

council and see where we are going. Mr. Dawson stated assuming this is a go, commissioners endorse it and council agreed, we would ask for the money for the next phase, which can be used and sold as part of the bond and paid back. We have no money to design the facility. To get through the design phase we would request \$1 million which can be sold or generated some way and repaid through the bond when it is sold to capitalize the project. Altman stated do we want to do that or ask for a bond and build it. Holt stated let's let the council mull that over. [12:12:59] Holt asked to shoot for a session in advance of the council meeting the first week of August. We want a quorum. Holt stated he will call Dr. Carter and see if we can meet at 6:00 pm. Mr. Dawson stated this will be a lengthy presentation. Altman stated we have had several presentations. Ms. Roach stated council has never had a presentation. Captain Stevens stated council members of the task force have seen it, but the other council members have not seen a presentation. Holt asked them to prepare an Executive Summary and send it to the council prior to the August meeting. Plan for ½ hour for the presentation and ½ hour to discuss it. Work session adjourned. [12:15:52]

President Holt called the public portion of the June 23, 2003 meeting of the Hamilton County Board of Commissioners to order at 1:00 pm. A quorum was present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commissioner Dillinger was absent. The Pledge of Allegiance was recited.

Approval of Minutes: [1:02:29]

Altman motioned to approve the May 27, 2003 minutes. Holt seconded. Motion carried unanimously. Altman motioned to approve the minutes of May 28, 2003. Holt seconded. Motion carried unanimously. Altman motioned to approve the June 16, 2003 minutes. Holt seconded. Motion carried unanimously.

Executive Session Memoranda:

Altman motioned to approve the June 23, 2003 Executive Session Memoranda. Holt seconded. Motion carried unanimously.

Bid Openings [1:03:09]

Bridge #176, 136th Street over Mud Creek:

Mr. Michael Howard opened the bids for replacement of Bridge #176, 136th Street over Mud Creek. Form 96, Bid Bond, Non-Collusion Affidavit, Financial Statement and Acknowledgment of Addendum (1) were included unless otherwise specified. 1) George R. Harvey & Son - \$440,516.72. 2) Schutt-Lookabill - \$408,400.37. 3) Duncan Robertson - \$444,104.38. Mr. Howard recommended the bids be forwarded to the highway department for review and recommendation later in today's meeting. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Bridges #20 & #28 Asphalt Overlay: [1:05:51]

Mr. Howard opened the bids for asphalt overlay of Bridge #20, 186th Street over Little Eagle Creek and Bridge #28, East Eagletown Road over Little Eagle Creek in Washington Township. Form 96, Bid Bond, Non-Collusion Affidavit, Financial Statement and

Acknowledgment of Addendum (1) are included unless otherwise specified. 1) E&B Paving - \$2,654,107.40. Financial Statement on file at highway department. 2) Milestone - \$2,307,000.00. 3) Rieth-Riley - \$2,416,944.71. 4) Schutt-Lookabill - \$2,729,008.74. 5) Gale Tschour - \$2,688,152.88. 5) Hunt Paving - \$2,547,386.44. Mr. Howard recommended the bids be forwarded to the highway department for review and recommendation later today. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Rangeline Road at Clay Terrace:

Mr. Howard opened the bids for Rangeline Road at Clay Terrace on Rangeline Road from US 31 to 146th Street. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of Addendum (2) were included unless otherwise specified. 1) Rieth Riley Construction - \$86,450.00. 2) E&B Paving - \$67,890.60. 3) George R. Harvey & Sons - \$89,365.00. Mr. Howard recommended the bids be forwarded to the highway department for review and recommendation at the next meeting. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Plat Approvals

Village of West Clay, Section 3001-C Block B Replat:

Shelborne Park, Section 2:

Centennial Townhomes, Building 22:

Shelbourne Park, Section 2:

Mr. Steve Broermann presented the following plats for approval: 1) Village of West Clay, Section 3001-C, Block B Replat; 2) Shelborne Park, Section 2; 3) Centennial Townhomes, Building 22; 4) Shelbourne Park, Section 2. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Hazel Dell Road Plan: [1:15:35]

Mr. Jose Kreutz, Brenwick Development, stated the title sheet for the Hazel Dell Road plan has been signed. Mr. Kreutz requested an interlocal agreement be executed between Hamilton County and the City of Noblesville that rescinds the jurisdictional review of the construction of Hazel Dell Road back to the City of Noblesville. The annexation became effective May 24, 2003. Mr. Howard stated you will not need an interlocal agreement. Mr. Kreutz stated it would amend a previous agreement. Mr. Howard stated if it is within jurisdiction, the commissioners and highway department reviewing the plans is all that is required.

Highway Business [1:16:43]

Open Road Cut Permit:

Mr. Jim Neal requested approval of an Open Road Cut Permit. 1) RDCUT 2003-032 - Clay Township Regional Waste District - 34' south of centerline of Braeburn Drive crossing Hoover Road for emergency sanitary sewer service. Altman motioned to approve. Holt

seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department: [1:17:23]

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B-98-0064 - Travelers Casualty and Surety Company Right of Way Bond No. 103426484 issued on behalf of Bright House Networks, LLC (originally Time Warner Entertainment - Advance/Newhouse Partnership to expire April 9, 2004. 2) HCHD #B-00-0072 - Developers Surety and Indemnity Company Increase-Decrease Rider Bond No. 885601 S issued on behalf of Brookstone Park of Carmel, LLC reducing bond from \$109,824 to \$40,420 to expire June 8, 2004. 3) HCHD #B-03-0057 - Fidelity and Deposit Company Maintenance Bond NO. MNT8689181 issued on behalf of Poindexter Excavating, Inc. in the sum of \$10,000 for the Shoopman Sanitary Sewer Project to expire May 14, 2006. 4) HCHD #B-03-0058 - Ohio Farmers Insurance Company Performance Bond No. 5972709 issued on behalf of Shelly & Sands, Inc. in the sum of \$84,988.00 for Shelborne Park Section 2 to expire in 2005. 5) HCHD #B-03-0058 - Ohio Farmers Insurance Company Payment Bond No. 5972709 issued on behalf of Shelly & Sands Inc. in the sum of \$84,988 for Shelborne Park Section 2 to expire in 2005. 6) HCHD #B-03-0060 - Ohio Casualty Group Subdivision Bond No. 3-786-851 issued on behalf of Advantage Concrete Limited, LLC in the sum of \$25,000 to do work in Shelborne Park, Section 2 - concrete curbs and to expire May 20, 2005. 7) HCHD #B-03-0061 - Travelers Casualty and Surety Company Permit Bond No. 103955828 issued on behalf of Beck's Superior Hybrids, Inc. in the sum of \$5,000 for a road bore at 1750' west of Gwinn Road on and under 286th Street to expire June 5, 2004. 8) HCHD #B-03-0062 - Western Surety Company Permit Bond No. 69515369 issued on behalf of Bron Benton Cuppy in the sum of \$5,000 for a driveway permit to expire April 30, 2004. 9) HCHD #B-03-0063 - Western Surety Company Annual Permit Bond No. 43-218-931 issued on behalf of Maddox Excavating LLC in the sum of \$25,000 to expire June 5, 2004. 10) HCHD #B-03-0064 - St. Paul Fire and Marine Insurance Company Performance Bond issued on behalf of Milestone Contractors, LP in the sum of \$596,580 for Resurface Contract 03-2 to expire May 30, 2005. 11) HCHD #B-03-0065 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Milestone Contractors, LP in the sum of \$596,580 for Resurface Contract 03-2 to expire May 20, 2005. 12) HCHD #B-03-0066 - United States Fidelity and Guaranty Company Annual Permit Bond No. 400SV2417 issued on behalf of DeLello & Sons Asphalt Paving, Inc. in the sum of \$25,000 to expire June 13, 2004. 13) HCHD #B-03-0067 - Western Surety Company Annual Permit Bond No. 69445578 issued on behalf of BBK Excavating, Inc. in the sum of \$25,000 to expire December 23, 2003. 14) HCHD #B-03-0068 - Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 888447S issued on behalf of Brookstone Park of Carmel, LLC in the sum of \$23,767 for completed curb, base and binder and surface in Brookstone Park of Carmel, Section II to expire June 19, 2005. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department: [1:18:01]

Mr. Neal requested release of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B-01-0023 - American Motorist Company Performance Bond #3SM004405 Rider to change principal for Drees Premier Homes, Inc. for Kingsborough Subdivision. 2) HCHD #B-01-0024 - American Motorist Insurance Company Performance Bond #3SM004382 Rider to change principal for Drees Premier Homes, Inc. for Kingsborough Subdivision. 3) HCHD #B-

01-0025 American Motorist Company Performance Bond #3SM004381 Rider to change principal for Drees Premier Homes, Inc. for Kingsborough Subdivision. 4) HCHD #B-01-0026 American Motorist Insurance Company Bond #3SM004380 Rider to change principal for Drees Premier Homes, Inc. for Kingsborough Subdivision. 5) HCHD #B-01-0108 American Motorist Insurance Company Performance Bond #3SM004605 Sec. 4 Streets, reduced amount for Drees Premier Homes, Inc. for Kingsborough Subdivision. 6) HCHD #B-02-0081 Gulf Insurance Company Subdivision Bond B21862458 for Ditch Road Property - Saddle Creek Sections 10 & 11. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Agreements [1:18:50]

Utility Agreements - Bridge #198:

Mr. Neal requested approval of non-reimbursable Utility Agreements for Bridge #198, formally Small Structure #21029, 191st Street over Cool Creek. 1) HCHD #M-03-0024 - Verizon. Altman motioned to approve. Holt seconded. Motion carried unanimously. 2) HCHD #M-03-0026 - Insight Communications. Holt motioned to approve. Altman seconded. Motion carried unanimously. 3) HCHD #M-03-0025 - Cinergy/PSI. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Subdivision Inspection Agreements [1:20:23]

Fox Hollow at Geist Subdivision:

Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-03-0009, for Fox Hollow at Geist Subdivision with Precedent Residential Development, LLC and Quandt Engineers. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Village of West Clay, Section 10004-A:

Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-03-0010, for Village of West Clay, Section 1004-A with Brenwick TND Communities, LLC and USI Consultants, Inc. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Intercoastal At Geist - Landscape Sprinkler System Agreement:

Mr. Neal requested approval of an agreement with Centex Homes for a landscape sprinkler system for Intercoastal at Geist Subdivision. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Field Drive Bridge Supplemental Agreement #7: [1:21:45]

Mr. Neal requested approval of Supplemental Agreement #7 for Field Drive Bridge over White River. This agreement adds habitat monitoring to our previous agreement. The total of the supplement is \$17,400.00. \$12,400 is for the habitat monitoring and \$5,000 for miscellaneous expenses. Altman motioned to approve. Holt seconded. Altman asked why are we not doing the environmental monitoring in-house? Mr. Neal stated we do not have the expertise to do it in-house. This agreement is with Beam, Longest & Neff. They have an environmental section who knows all the wildlife and plant species and what is supposed to be happening. Holt asked what are they doing? Mr. Neal stated as part of our DNR permit we have to document that the new

wetland mitigation is taken. We did not realize that habitat had to be monitored as well. This agreement is to monitor the wildlife habitat areas that were mitigated. Holt stated he does not remember doing this on any other bridge project. Mr. Neal stated he does not think we have ever had to do habitat monitoring before. Holt asked if this is something we will be doing on a regular basis, is this new legislation? Mr. Matt Knight stated he does not know if it is new legislation, but the habitat monitoring is coming up on more and more projects. Altman asked if we should develop internally the ability to do it. Holt stated we have naturalists in our employ at Parks and Recreation, could we get their naturalists to look at our habitat? It would be worth looking into. Mr. Knight stated he has spoken to Al Patterson, Parks Department, he said they do have naturalists in-house that could do this with proper training. There is a DNR or INDOT class available for certification. At this time the Parks Department does not have anyone who has done that, but it would not be out of the realm of possibility for his staff to do this in the future. Altman motioned to table until we find out what the costs are. Holt stated we don't want to stop the construction on this project? Altman stated she did not hear that would be consequence. Mr. Neal stated this is for the area we have already built, it is off sight from the construction site. It is between Potter's Bridge & Field Drive on the Parks property. Holt seconded the tabling motion. Altman asked if this will hold up construction? Mr. Knight stated no, as long as we don't wait a month or two. Altman asked if he will pursue doing this in-house? Mr. Knight stated yes. Mr. Neal stated this will come up on the 146th Street ramp project. Holt stated we are talking about someone that is a trained naturalist, not someone from the highway department. Mr. Neal stated we will contact the Parks Department. Motion to table carried unanimously.

Bridge #193 Engineering Agreement: [1:27:57]

Mr. Neal requested approval of Engineering Agreement, HCHD #E-03-0007 with USI Consultants for Bridge #193, 113th Street over Thorpe Creek. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #618 Engineering Agreement:

Mr. Neal requested approval of Engineering Agreement, HCHD #E-03-0008 with Congdon Engineering Associates for rehabilitation of Bridge #618, Timberbrook Run over Anna Kendall Drain. Holt motioned to approve. Altman seconded. Altman stated she would like a list, by Friday, of every contract on engineering. She is adamant about seeing the contracts before the meeting. Dillinger arrived at the meeting at 1:31 pm.

Concurrence with Traffic Study Correspondence: [1:31:49]

Mr. Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Altman stated she has concerns about the street identification signs. She understands the reasoning that we don't have a policy yet to go to the bigger signs, because we have nine years left to implement. What is the normal length of time for the signs in terms of useful life? Mr. Neal stated it varies. The signs we will be replacing on this subdivision are original signs from at least 15 years ago. Mr. Davis stated for planning purposes it would be 10 years. Altman stated she thinks it would be prudent to adopt a policy that as we replace signs we go to the standard mandatory signs. Mr. Neal stated Mr. Pendleton is concerned we are going to the big signs and they want the smaller signs. Altman asked the highway department to look at it and see what is most cost effective and will make people happy and

bring back a recommendation. Altman motioned to table the sign issue only. Dillinger seconded. Motion carried unanimously. Altman motioned to approve the balance of the correspondence. Dillinger seconded. Motion carried unanimously.

Official Actions [1:35:57]

No Passing Zones - Various Locations:

Mr. Neal requested approval of an official action for No Passing Zones in various locations. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Five Year Bridge Management Program 2003 to 2007:

Mr. Matt Knight distributed the Five Year Bridge Management Program for 2003 to 2007. The program has been finalized and will be implemented in the next five years. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Utility Relocation Agreements: [1:36:43]

Altman stated she understand the Utility Relocation Agreements are our standard forms. It seems that every project we have is held up by utility relocation and she would like the highway department to look at whether we need to change our contracts to require that if we grant permission for relocation in our right of way that they have a time frame that they agree to accomplish it by, with a notice provision. It seems most of our projects we have problems with the attentiveness with the utilities and come back with a recommendation to the Board.

Bridge #262 INDOT Letter:

Mr. Neal requested approval of a letter to INDOT on Bridge #262 requesting credit of some of our engineering costs towards the final costs. This will allow us to apply some of the expenses already incurred towards our 20%. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Permission to Advertise [1:39:59]

116th Street & Ditch Road and 96th Street & Ditch Road:

Mr. Neal requested permission to advertise for intersection improvements at 116th Street and Ditch Road and intersection improvement at 96th Street and Ditch Road. Bids will be opened July 28, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Contract Resurface Project 03-3, Various Roads in Clay Township:

Mr. Neal requested permission to advertise for Contract Resurface Project 03-3, Various Roads in Clay Township. Bids will be opened on July 14, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Consultant Recommendations [1:40:46]

Hamilton County Trailways Project:

106th Street & College Avenue:

Mr. Neal requested approval of a consultant for the Hamilton County Trailways Project and the 106th Street & College Avenue Project. Both of these projects are federal aid projects. We received RFP's on both of these projects. Trailways project - Dillinger asked if this is the project Envoy was involved with? Mr. Neal stated their response was not project specific, they only sent company information. Dillinger stated they are dealing with the Parks Department on this project. Mr. Neal stated we sent them an RFP at the Parks Department's request. The RFP is for construction engineering and construction inspection. Mr. Joel Thurman stated Envoy was put on the RFP list by a request from Al Patterson, Parks Department. The Parks Department is working on Coxhall right now and it includes Envoy. Al thought if Envoy was on site they should be included the list for receipt of the RFP. Larry Dawson met with Joel Thurman to describe the project. They discussed Envoy's qualifications and the type of work they do. At that time they gave us the information on Envoy. It was not a site specific proposal as we requested. During the discussion with Mr. Dawson, Mr. Thurman asked about their INDOT qualifications. Mr. Dawson stated they had not done any type of INDOT work and he was not sure if they were qualified to do INDOT work. Mr. Thurman stated they asked INDOT if they had to be a pre-qualified subcontractor to do this work. INDOT's answer was that there is no such thing as a pre-qualified consultant. Ultimately the INDOT District would have say if we wanted to use a consultant that does not have any type of experience with the paperwork that INDOT requires. It would be up to the District itself whether that would be apparent use of that consultant. Mr. Thurman has shared that information with Al Patterson. Altman asked what makes this contract any different than the other contracts we looked at? We have recommendations before us, but she does not see any dollar amounts of what it is going to cost. Mr. Neal stated their recommendation is that we be allowed to begin negotiations with the firm to come back to the Board with an agreement. Altman asked why are we not in negotiations with all three firms and figure out who is qualified at a reasonable price? Mr. Thurman stated this contract is unique in that it is a federal aid participation of construction inspection. Because it is enhancement money, INDOT is telling him that typically federal aid construction inspection is a full time inspection and with some enhancement projects, with the District's approval, they do not always have to be full time. That would be up to the construction engineer in the District whether it would be full time. This fee would be paid on an hourly basis and we would receive wage rates from the consultant at the time of entering in to the contract. They would be paid for time on the site. As part of this submittal we did ask for their approved overhead rate. We received that for all the proposals we received. That was a small factor in our calculation of how we evaluate the proposals. Dillinger stated it had something to do with coordination with the Parks Department and how they were using Envoy in this. He does not think Envoy wants to be the consultant. He does not remember exactly what it was. Dillinger motioned to table until the next meeting. [1:48:05] Mr. Thurman stated this project is on schedule for a July INDOT letting. It would be helpful if we could get it today. Altman asked what is the general costs on the whole engineering contract in terms of what you estimate? Mr. Thurman stated on a typical road job for federal aid it is usually 12% of the construction costs. The construction costs for this phase of this project is approximately \$450,000. Altman stated the statute was specifically reformed to take away percentage on dealing with professional fees. It bothers her that we are scoping out normal on a percentage. Dillinger asked it to be tabled until later in the meeting and he will call Al and get more information. Altman seconded. Motion to table approved unanimously.

Construction Engineering Services Consultant Selection [1:50:41]

106th Street and College Avenue:

Mr. Neal requested selection of Construction Engineering Services consultant selection for the 106th Street and College Avenue intersection improvements. We sent out 15 RFP's and received 9 responses. They recommend First Group Engineering be selected. Dillinger motioned to approve. Altman stated it is up to us to look at all the consultant selections to come up with some consistent method on how we pick people and the process. We are totally inconsistent with picking one and talking money, with everybody else we have to look at money at the same time. Holt seconded. Dillinger and Holt approved. Altman abstained. Motion carries.

Condemnation of Parcels [1:51:54]

Bridge #82, Crooked Creek Ave. over Cicero Creek:

Mr. Neal requested permission to proceed with condemnation of Parcel #01, Brenda J. Plass & William A. Plass of .814 acres+/- acres of permanent right of way for the Bridge #82, Crooked Creek Ave over Cicero Creek project. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award [1:52:27]

Bridge #176, 136th Street over Mud Creek:

Mr. Neal requested the bid for Bridge #176, 136 Street over Mud Creek be awarded to Schutt Lookabill Company, Inc. as the lowest responsive bidder at \$408,400.37. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bridges #20 & #28 Asphalt Overlay:

Mr. Neal requested the bid for asphalt overlay for Bridges #20 & #28 be awarded to E&B Paving, Inc. as the lowest responsive bidder at \$67,890.60. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

106th Street & College Avenue Intersection Improvement - Title Sheet:

Mr. Neal requested signatures on the Title Sheet for the 106th Street & College Avenue intersection improvement project. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Sign Truck Bid Award: [1:54:13]

Mr. Brad Davis recommended the bid award for the Sign Truck for the Highway Department be awarded to Circle City GMC. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Excess Highway Equipment:

Mr. Davis requested declaration of excess highway property for sale at the auction scheduled for August 15, 2003. Dillinger motioned to approve. Altman seconded. Motion carried

unanimously.

Sign Truck Bid:

Mr. Rod Miller, 9136 Central, Indianapolis. Mr. Miller requested an appeal on the bid award for the sign truck. Mr. Miller stated they were involved in the bid process regarding the equipment. Mr. Miller stated he is concerned with the vast difference in the money on the bids. There was such a big difference in everybody who bid on the sign truck. He would be concerned if they met all the specifications. He worked very closely with the staff at the county highway department on establishing bid specs for the equipment on the sign truck, not the chassis. There were several items that did not meet the specs that the county advertised with. Specifications are there for a reason and if they are not, you ruin an entire year's worth of effort with your people as well as himself and the company's involved that helped established the specifications. Holt asked if Mr. Miller represents one of the bidders? Mr. Miller stated he represents 4 out of the 5 people. There was only one company that did not use the equipment and specifications that were established, through our efforts as well as the staff of the county highway department. Mr. Davis stated we reviewed the specifications and felt they met the requirements, this bid as well as the other bids. Mr. Miller stated he would like to appeal because he takes exception to whether or not they meet specifications. Prior to Mr. Davis coming on board as Highway Director there were several irregularities before Mr. Davis arrived. There were things advertised prematurely and it went back to review and then a new set of people came on board. Holt asked if Mr. Miller could speak with Mr. Howard and Mr. Davis during the break and see if there is an appeal process or another way to address this. Dillinger and Altman agreed. Mr. Howard stated he is presuming that they are specs or equivalent. You also have the issue in the bidding law that you can not be proprietary, in other words you can not spec something that there is only one bidder to. You have to give others who are similar an opportunity. We can't make those restrictions so restrictive that there is only one bidder. On this particular component the issue is that there was a sub that helped devised the specs and the question is whether or not they are equivalent. They do not have to be in total lock step. They have to be similar and if they meet the needs of the department in the opinion of the director, then that is adequate. We can not make proprietary specs unless it is something that must be propriety such as inter-related software, etc. Vendors that try to help, do so at their own peril.

Holt called a break in the meeting. Holt called the meeting back to order at 2:19:37

Sign Truck Bid Continued:

Mr. Davis requested they have the opportunity to review the specs. He would request to table the approval. Dillinger motioned to rescind the motion and table the motion to approve. Altman seconded. Motion carried unanimously.

Altman stated this raises an issue if we should have public comments at the beginning of the meeting. If someone has a concern we don't run in to this issue. This might reduce some of the confusion at the meetings.

Hamilton County Trailways Project Continued: [2:31:38]

Dillinger stated he has spoken with Larry Dawson of Envoy during the break. Envoy is doing all the construction management at Coxhall. They agreed to discount their fees by

\$100,000 in order to provide construction engineering services for the Trailways Project., since they have a trailer on site. Dillinger asked since it is a federal aid project, he does not know whether that creates a problem for them. Mr. Neal stated as long as they have a registered engineer, architect or a certified INDOT Technician on site to do INDOT work they should be able to provide inspection services. Mr. Howard stated they have a registered road engineer on staff at Envoy. Holt asked if they need one of the three or all three? Mr. Thurman stated they need one of the three. Mr. Thurman stated he does not doubt that they have people qualified that can do the inspection, the biggest hurdle with Envoy is the fact that they have not done any INDOT work. It is a different system as far as all of the paperwork that is required and dealing with the contractor. He does not doubt that all the professional people on staff could provide the inspection we need. Altman stated the \$100,000 discount could become very pricey if we don't have the right people inspecting. Mr. Davis stated this is enhancement money that will be overseen by INDOT construction personnel. Dillinger motioned to table and let Joel call them [2:25:34] and report back before the end of the meeting. Holt seconded. Dillinger and Holt approved. Altman opposed. Motion carries.

PrimeLife Enrichment 2004 Budget Request: [2:26:00]

Ms. Sandy Stewart, Executive Director of PrimeLife Enrichment, presented an overview of the annual report of the PrimeLife Enrichment Center. Ms. Stewart stated the center officially opened for membership on February 10, 2003. She had projected in the first six months 600 members based on the 2001 participation, as of last Friday they have 1,005 paid members. The community has responded overwhelmingly. This is a state of the art senior center and is being used as a prototype for developing senior centers in other areas. Ms. Stewart requested \$150,000 in 2004. The center has a lot of opportunity for generating funds for the organization. We are developing a recycling center and have received a grant from IDEM for a forklift and bailer. Dillinger motioned to approve the request. Altman seconded. Altman stated on all the budgets under the Commissioner's, as a courtesy we should advertise the requested amount for council's later determination and review the budgets a little more. Altman stated this program is wonderful, but she wants to be sensitive to the fact that we are very tight this year and probably lean to council to say how much money they have at the time. Your program is well deserving. Ms. Stewart stated she appreciates that, it is a difficult time to ask for money. Motion carried unanimously. Altman stated subject to funding.

2004 Election Summary: [2:32:12]

Ms. Kathy Richardson presented the 2004 Primary Election Summary.

Help America Vote Act:

Ms. Richardson stated the federal voting legislation will take effect in 2006. We will be required to have machines in each polling site that is available for independent voting ie: enhanced voting for the blind. MicroVote, our current vendor, does have that equipment. Our current equipment is no longer being produced. They need to go to the next level of technology. We are set right now, but for 2006 we will have to have one of these machines in each one of the polling places. Ms. Richardson stated she has submitted to the County Council Finance Committee four different plans submitted to her by MicoVote to replace our voting systems over the next several years. One of the provisions with this is federal funding. If it is funded it would

take care of all of our expenses to put one voting machine in each polling place. Counties that are currently on punch card and lever have to be off those machines by 2006 and be on some type of electronic system. Those counties are being taken care of first with the federal dollars. If all the counties do not comply across the board, there is no federal dollars for any of us. It is approximately \$700,000. It is a reimbursement process, we up-front the money and are reimbursed with federal money. Ms. Richardson stated she is not sure what to do in this year's budget for the new machines, whether it is better to divide it over three years or wait until next year and divide it over two years. Holt asked if MicroVote can provide enough equipment to get this done? Ms. Richardson stated they believe they can, since they have two years notice. Some counties that are on punch cards have purchased the electronic machines this year.

Fall Elections:

We are having Fall elections in Atlanta, Cicero and Sheridan. The deadline for Democrats to file was June 20th. Independents have until June 30th and Libertarians have until August 1st.

County Government 4-H Tent:

Ms. Richardson stated the 4-H Tent Committee is hosting a "Meet Your County Elected Officials" evening on Friday and Saturday night from 6:00 - 8:00 pm. Ms. Richardson invited the Commissioners to attend one of these evenings.

Hamilton County Trailways Project: [2:42:15]

Mr. Thurman stated he spoke to Larry Dawson and they have not provided us with any type of fee schedule. As part of our original RFP we did not ask for any type of fee information. The information we have in hand is in fact what is submitted, as confirmed by Mr. Dawson today. Mr. Dawson stated he is currently under contract with the Parks Department to do inspection at the Coxhall site. This project had a larger scope because we requested \$1.4 million originally. Once we got our request back of \$700,000 and we modified our scope and some of what we were going to do is now cut out of our project. The Parks Department is continuing on their site and they have picked up some of the work that we dropped off. Envoy is now contracted with the Parks Department to oversee some of the work they are doing on site. It has nothing to do with INDOT, it is Park funding. Mr. Dawson did advise him that their fee with the county parks was discounted \$100,000 as a donation to the park. The original contract for inspections with the Parks was \$260,000 and it is actually now \$160,000. Mr. Dawson did say they will have someone on site full-time within the next couple of weeks and it should be ongoing through most of 2003. Mr. Thurman asked what type of people they had to inspect roads and Mr. Dawson stated they have done 150 sites, schools, hospitals that included road work. Mr. Dawson felt confident that they had the ability to inspect the project we have described. Altman suggested the highway department talk to Envoy and Cripe and see what kind of deal we can cut and come back to the next meeting. Mr. Thurman stated this is set to bid next month, the next stage for us would be to draft an agreement with the consultant to get in place as soon as we can. Altman asked if the agreement would come back to the Commissioners for approval? Mr. Thurman stated yes, it would also go to INDOT because it is a standard Federal Aid agreement that gets INDOT approval. Mr. Thurman stated at this point in time the project is not let, we don't know if we are going to have to inspect it full-time or part-time so we don't know the time

the inspectors are going to be on site. Altman stated come up with an hourly rate and how much time they are out there with a not to exceed amount. Holt stated we have on file the hourly rates, so to ask two firms to do that does not accomplish anything, we already know their rates. Altman stated she does not recall approving hourly rates except for the reimbursable engineering contract with United Consulting. Holt asked if he is mistaken? Mr. Thurman stated we do have an open end engineering agreement on file, we typically have 2 or 3 engineers that give us an hourly agreement in case something comes up that we need something. The only fees we have are for other contracts, such as the ramp for 146th Street and US 31. These are not fees that cover any other job. Altman stated the contracts she sees are predominantly fixed fee contract. Mr. Thurman stated for construction inspection, both federal aid and local, are typically a not to exceed but is paid on an hourly basis. As part of the appendix for that agreement would be a wage rate of each position and per hour. Altman asked if we have the rates for every engineering firm we deal with? Mr. Davis stated not for every firm. Altman stated maybe that is how we go. Mr. Neal stated beyond the hourly rate we also have the overhead rate, we can't fix it strictly on what the hourly rate is. Altman stated it is a mathematical formula. Mr. Neal stated we base it on the estimated time the contract is and the staffing. Dillinger asked if Mr. Thurman's opinion has changed on this? Mr. Thurman stated we recommended Paul I. Cripe, Inc. and that was based on going through all the proposals and the criteria of how we looked at the proposals. Paul I. Cripe also designed the project itself, so they are knowledgeable on the project itself. It did play a factor on how they rated when we looked at the proposals. Mr. Thurman stated at this point in time his recommendation, it is a cost savings if you have someone out there, but his thought against that is the fact that Envoy is out there and has not dealt with INDOT and the entire process of dealing with federal aid paperwork and all that is required for construction inspection for a federal aid project. Dillinger asked Mr. Thurman if his recommendation has not changed based on any information he has? Mr. Thurman stated no. [2:50:38] Dillinger motioned to approve Paul I. Cripe. Altman seconded. Motion carried unanimously.

Insurance Committee: [2:51:38]

Mr. John Ditslear requested signature of the Stop Loss Agreement with Pacific Life. This was approved in May with the same \$120,000 deductible. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

HIPPA Regulations

Privacy Rules Certification:

Ms. Sheena Randall requested approval to extend the position of the Human Resource Secretary, Payroll Administrator and Payroll Coordinators to allow them to have access of the public health information when working with the Nyhart Company. The original list included the Board of Commissioners, Auditor, County Attorney, Human Resource Director and our Agent of Record. We have found it is necessary for the additional individuals to have their name on this document since they are processing the paperwork for all items for disability and medical payments. Dillinger motioned to approve. Altman seconded. Altman asked if their job descriptions have been amended to include strict confidentiality and take in to account the HIPPA regulations? Ms. Randall stated it does discuss confidentiality. Ms. Randall stated it discusses confidentiality, it does not mention HIPPA. We are working on revising the job descriptions right now. Ms. Randall stated she will make sure it includes that language specific

to HIPPA. Mr. Howard asked Sheena to draw up an acknowledgement of the special confidentiality while we wait for the revised job descriptions. Mr. Howard stated this can be approved today, but it would not be effective until each of those people have signed the appropriate confidentiality statement. Altman stated we can amend the motion that it would become effective upon their execution of the confidentiality statement. Dillinger accepted the amendment to his motion. Altman seconded. Motion carried unanimously.

Express Scripts Business Associate Agreement:

Ms. Randall requested approval of a Business Associate Agreement with Express Scripts. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Attorney [2:55:54]

Liability Trust Claim:

Mr. Howard stated at the last meeting there was a liability trust claim tabled, payable to The Hartford in the amount of \$1,044.37. Mr. Howard stated this case was filed against us, even though it was on a State road. There was a motion to dismiss filed by the attorney's representing the County. This claim is appropriate for payment. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Juvenile Justice Detention Center Contracts: [2:59:19]

Mr. Howard stated at the last meeting a contract with Paul I. Cripe, for the Juvenile Justice Detention Center project were tabled until we could find out if there was funding in place. It has been determined that there is funding in place and the substantial amount of that funding has been paid. The contract is appropriate for approval. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Mr. Howard stated the other contract tabled at the last meeting was with RQAW Corporation and American Consulting Engineers for architectural design services for the Juvenile Justice Detention Center project. This contract is funded and appropriate to approve. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Barrington Estates: [3:01:41]

Mr. Howard stated on September 26 a developer appeared before the Board concerning a project known as Barrington Estates. There was a request made to allow the Fall Creek Regional Waste District of Madison County to provide services to this development, even though it is located in Hamilton County. The Board denied that request. Since that time the developer, Cole Developer LLC, has entered in to a contract with Fall Creek Regional Waste District to provide sewer services. They have been provided a permit by IDEM. Hamilton Southeastern Utilities and the Town of Fishers have requested we join them as plaintiffs for filing in Hamilton County a complaint for permanent injunctive relief and declaratory judgement. Mr. Howard stated he has consulted with Hamilton Southeastern Utilities and they will be paying the county's litigation costs and expenses based on the hourly rate in the county attorney's contract. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Faust - Joint Release of Liability: [3:03:57]

Mr. Howard requested approval of a joint Release of Liability for Cynthia S. Faust, individually and As Trustee of the Cynthia S. Faust Revocable Trust, and Gary F. Faust. This claim is from acquisition of property interest at 146th Street Ramps Project. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Resolution 6-23-03-1, Clay Terrace:

Mr. Howard requested approval of Resolution 6-23-03-1, A Resolution Concerning the Issuance of Redevelopment District Bonds (Clay Terrace). Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Sheridan Airport PUD: [3:06:41]

Mr. Chuck Kiphart stated the Sheridan Airport has requested permission to add 12 unit storage hangars. It is in a M-1P District, which requires approval of a development plan and PUD by the Plan Commission and County Commissioners. The Plan Commission did act and send a favorable recommendation of 8-0 to the Commissioners. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Administrative Assistant [3:07:53]

Ritchey Woods:

Mr. Fred Swift stated the Hamilton County Parks Department has requested signature on a letter to Mr. Jeffrey Patchen, President & CEO of The Children's Museum of Indianapolis supporting the Park Departments effort to acquire Ritchey Woods. Altman motioned to approve. Dillinger seconded. Dillinger stated there is still an issue with Fishers. Fishers thinks they should have this park. Altman stated she would presume the owning entity has two interested parties and the owning entity would make that determination. We should show our interest in the park so they can make the determination. Motion carried unanimously.

Emergency Management Agency: [3:10:03]

Mr. Swift stated Bob Hendericks has requested that Bill Shepler be named as the consultant to help prepare Homeland Security for Hamilton County. A grant is available. Altman stated when we acknowledged this grant the intent was that the Emergency Management Board would adjust the manual themselves and hire part-time personnel out of the grant money to document those changes, which she supported. At some time subsequent to that she is not sure who determined that a grant writer would be hired to do this. She was not at that meeting. Altman will get clarification and bring it back to the Commissioners.

Public Housing Grant Public Hearing: [3:13:24]

Ms. Angie Pappano, Kenna Consulting Management Group, stated she is present on behalf of the Hamilton County Area Neighborhood Development and the Hamilton County Board of Commissioners to hold a public hearing on an owner occupied rehabilitation grant that is proposed for Hamilton County. Ms. Pappano stated they are proposing that Hamilton County apply for \$300,000 to the Indiana Housing Finance Authority for a Community Development

Block Grant. There is a 10% match required from the County. They are taking donations now towards that match. The Hamilton County Neighborhood Development is proposing to partner with Rural Development with their 504 grant loan program and in kind donations of professional services and volunteer labor from contractors. We will target low and moderate income persons from Hamilton County with priority to the elderly, disabled, and single parent households. All of the homes participating in this program will be in Hamilton County. The time line for the grant application - a letter of intent was submitted June 20th, the application is due August 1st and the awards will be announced September 25th. In the meantime we are collecting participant information and once we know the grant dollars locked in we will begin more in-depth inspections. Individuals must own and occupy their home. We are estimating 12 homes will be selected. We estimated \$18,000 per home in grant funds that will be spent. The grant is called a forgivable loan. A mortgage is placed on the home during a forgiveness period as long as the person owns and occupies that home during the entire forgiveness period no repayment of those grant funds is required. If they decide to sell their home, changes names or is rented during the period the grant funds are repaid to the county through the applicant. It depends on how much money is spent on the home as to the length of the forgiveness period. During the forgiveness period homeowners are expected to maintain the homes. As a part of the program, our firm does a home maintenance course on simple home maintenance.

[3:19:08] Ms. Pappano opened the public hearing for comments. No comments from the public. Public hearing was closed. Ms. Pappano requested approval to apply for the grant on the county's behalf. Dillinger motioned to approve. Altman seconded. Altman asked if the 10% local match will all be covered by donations and it won't be county funds? Ms. Pappano stated yes. The Hamilton County Area Neighborhood Development has accumulated almost \$11,000. It can also be in kind donations. Altman stated who will administer the program and make house selection? Ms. Pappano stated they have submitted a proposal to administer the grant. The ultimate decision to hire us is the county's. Mr. Howard asked if you are handling the grant application, but not the administration? Ms. Pappano stated we are handling the services at no charge for the grant application, if the grant is funded and we are hired for the administration we would be paid out of grant funds. One advantage to procuring an administrator before the grant application is points advantages and if we know we are hired before the grant is funded we will proceed with verifying incomes, etc., so you will have a head start on the grant. Motion carried unanimously.

RFP Opening - Public Housing Grant Administrative Services:

Mr. Howard opened the RFP's for the Public Housing Grant. Two proposals were received. 1) ARA, Administrative Resource Association letter stated they regret their workload does not permit them to make a proposal at this time. They did propose a price of \$16,000 for professional administrative services, \$5,000 for environmental review services and \$37,000 for program delivery for a total of \$58,000. 2) Kenna Consulting Management, Inc. - \$13,000 - administrative services, \$42,000 - program delivery and \$5,000 - environmental review for a total of \$60,000. Mr. Howard stated there is only one proposal. Holt asked who did the advertising for the RFP? Mr. Troy Halsell, Noblesville Housing Authority, stated he handled the advertising. Holt asked Mr. Halsell how many responses did he expect? Mr. Halsell stated very few, there are very few consultants in the State who handle this type of grant. He was expecting 1 to 3 responses. Holt stated both of the proposals are 20% of the amount of the grant, does that

seem in line? Mr. Halsell stated that does seem to be in line. The administrative fees are limited by the Indiana Housing Authority. Dillinger motioned to approve. Holt seconded to approve the firm of the sole RFP. Mr. Howard asked who will be handling the money? Will it go through the Auditor's office? Mr. Halsell stated it would go to the county and the county would disperse the funds appropriately. Mr. Howard asked who prepares the mortgages etc.? Mr. Halsell stated the consultant. The county will hold the money and disperse the funds. As far as procurement and the other details, he will take care of those and then giving all the original documents to Kim Rauch, Auditor's Office, for the county record. Altman asked if anyone has reviewed the consulting proposal that if something should go array it is the consultant's responsibility, not the county's responsibility? Mr. Halsell stated he would hope the county attorney would review the contract. Mr. Howard stated this is not a contract, this is a proposal and he has not seen the grant application. [3:29:43] Holt asked if it would be appropriate to amend the motion to employ the only responsive vendor subject to execution to a suitable contract. Dillinger and Altman agreed. Motion carried unanimously.

Administrative Assistant [3:30:25]

2004 Commissioners Budget:

Mr. Swift presented the 2004 Commissioner's Budget for approval to be sent to the Auditor's office. Altman stated as a matter of courtesy we should advertise those requests subject to further review and present them to the Auditor for advertisement. Altman stated her only concern on the mental health budget is that we advertise with a statutory provision on the mental health provider and not key it to a particular provider. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Sheridan Library Board Appointment: [3:32:20]

Mr. Swift stated the Sheridan Library has recommended George Good be re-appointed to the Sheridan Library Board. Altman motioned to re-appoint Mr. Good. Dillinger seconded. Motion carried unanimously.

Rejected Vendor Claim - Health Department: 3:32:39]

Mr. Swift stated the Auditor has denied payment of a vendor claim and he presented the claim to the Commissioners for action. Mr. Swift stated the claim is for greeting cards purchased by the Health Department. The county policy is not to pay for greeting cards. Altman motioned to deny this claim. Dillinger seconded. Motion carried unanimously.

Prosecutor's Office Expansion: [3:38:44]

Mr. Swift stated the the estimates for the expansion of the Prosecutor's Office have been distributed to the Commissioners. The Planning Department has stated they would require computer wiring if they were go into unwired space, which is not included in the estimate. Altman stated she is disappointed in the cost estimate, she would like to sit down with a representative from Envoy to discuss the estimate. Holt stated the issue is that we are discussing the budget and the Prosecutor has indicated this is a matter of urgency because the council has approved the new positions beginning next year and we should give the council a heads up that this would be an 2003 expenditure. Altman asked Dillinger if the new personnel were approved

by the personnel committee? Dillinger stated he is not sure, Mr. Swift stated these personnel are from a grant. Holt stated there are two employees now located in the Probation Department that would come upstairs when the expansion was complete. Holt stated we could request an additional for the August council meeting. Altman asked if we should look at a long term plan instead of investing \$250,000 for something that may not work long-term? Altman asked where are we going with this and ultimately do we need more space? Altman stated she would prefer to sit down with Envoy and go over the numbers before we request an additional. Holt motioned to put the additional on the Council agenda for August. Dillinger seconded. Dillinger and Holt approved. Altman opposed. Motion carries. Altman asked Mr. Swift to have the representative from Envoy call her.

Auditor [3:42:34]

Ordinance 6-23-03-A, Amending Hamilton County Zoning Ordinance 3-19-90:

Mr. Robin Mills requested signatures on Ordinance 6-23-03-A, An Ordinance to Amend the Planned Development Section of the Hamilton County Zoning Ordinance No. 3-19-90 Hamilton County, Indiana for the Sheridan Airport, as approved earlier on in the meeting.

2004 Holiday List:

Ms. Mills requested approval of the 2004 Holiday List. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claims: [3:44:51]

Ms. Mills requested approval of Liability Trust Claims. 1) Miller's Auto Body - \$1,000.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 2) Miller's Auto Body - \$6,844.54. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Gallagher Bassett Run-Off Contract: [3:47:03]

Ms. Mills requested approval of the Gallagher Bassett Run-Off Contract. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Treasurer's Monthly Report:

Ms. Mills requested approval of the Treasurer's Monthly Report dated May 30, 2003. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board: [3:47:32]

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2003-00007 - Safeco Insurance Company of America Subdivision Bond No. 6200099 for Hayden Run, Section 2 storm sewer - \$79,891.79. 2) HCDB-2003-00008 - Safeco Insurance Company of America Subdivision Bond No. 6200100 for Hayden Run, Section 2 erosion control - \$6,882.34. 3) HCDB-2003-00009 - Safeco Insurance Company of America Subdivision Bond No. 6200101 for Hayden Run, Section 2 monuments and markers - \$1,200.00. 4) HCDB-2003-00031 - Bond Safeguard Insurance Company Performance Bond No. 5004799 for Village of

Mount Carmel, Section 10 storm drainage - \$62,973.80. 5) HCDB-2003-00035 - Bond Safeguard Insurance Company Performance Bond No. 5003798 for storm sewers on the proposed Commerce Drive Extension - \$17,500.00. 6) HCDB-2003-00035A - Bond Safeguard Insurance Company Payment Bond No. 5003798 for the storm sewers on the proposed Commerce Drive Extension - \$17,500.00. 7) HCDB-2003-00036 - The Ohio Casualty Insurance Company Performance Bond No. 378214 for the County Regulated Drain Vegetation Spray Contract - \$13,549.00. 8) HCDB-2003-00036A - The Ohio Casualty Insurance Company Payment Bond No. 378214 for the County Regulated Drain Vegetation Spray Contract - \$13,549.00. 9) HCDB-2003-00037 - Travelers Casualty and Surety Company of America, License or Permit Bond No. 104013087 for the Crooked Creek Drain Extension across the Unique Office Building site in West Carmel Centre - \$4,453.00. 10) HCDB-2003-00041 - Bond Safeguard Insurance Company Subdivision Bond No. 5003964 for Sadona Woods, Section 1 erosion control - \$1,647.20. 11) HCDB-2003-00042 - Bond Safeguard Insurance Company Subdivision Bond No. 5003965 for Sadona Woods, Section 1 storm sewers - \$174,135.00. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board: [3:47:45]

Ms. Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B99003 - Frontier Insurance Company Performance Bond No. 129036 for the D.B. Mann reconstruction of the Oliver Shoemaker Drain at 141st and SR 37 - \$63,170.00. 2) HCDB-B99027 - Frontier Insurance Company Performance Bond No. 129055 for the D.B. Mann reconstruction of the Oliver Shoemaker Drain Phase II at 141st Street and SR 37 - \$134,7445.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims: [3:47:58]

Ms. Mills requested approval of Payroll Claims for the period of May 10 thru May 24 paid June 6, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Ms. Mills requested approval of Payroll Claims for the period of May 23 thru June 7, 2003 paid June 23, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims: [3:48:34]

Ms. Mills requested ratification of Vendor Claims paid on June 9, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Ms. Mills requested approval of the Vendor Claims to be paid June 24, 2003. Dillinger motioned to approve. Altman seconded as adjusted. Motion carried unanimously.

Waiver of Under-insured Motorists Insurance Coverage: [3:48:59]

Mr. Howard stated Mr. Bob Fearrin presented an election of coverage of under-insured and un-insured motorists property damage for signature. Our umbrella carrier is asking whether or not we would want un-insured motorist coverage, under insured motorist coverage or un-insured motorist property damage coverage up to the amount between our basic policy up to our umbrella. Mr. Howard concurred with Mr. Fearrin's recommendation that we decline the coverage. Holt asked what happens if an employee is in a county vehicle and he is permitted to use it for personal business he is on the way to the hardware store to fix something at home and

is hit by an un-insured motorist and is severely injured. He is not carrying insurance on the truck because it is a county vehicle, where does that leave him? Holt stated he is worried about the employee. Mr. Howard stated the employee's exclusive remedy would be workers comp. Holt stated he is not on the clock, he is driving the company vehicle. Mr. Howard stated he thinks it would be a workers comp claim. Holt stated his understanding was that workers comp would not cover. Mr. Howard stated the under- insured would be up to our umbrella. Mr. Howard stated this policy would be \$80.00 per car for our entire fleet, if we don't waive it. Mr. Swift stated we have estimated 220 vehicles. Mr. Jeff Rushforth stated Workman's Comp will not have any bearing on this. It would not cover injuries if he was not on the clock. Holt stated he does not think the employee's personal insurance policy would come in to play if he was driving a company vehicle that he was driving for personal use. Holt stated he would like to add the coverage. Altman asked what is the policy on company vehicles? Altman asked other than a Sheriff's vehicle, why are we driving a county vehicle on personal use? Holt stated we allow our people to do it. Altman asked if that is our policy? Do they pay us back for personal use? Do we report it? Mr. Howard stated Sheriff's are an exception, but the employees do use it for personal use. Altman stated we need to report it or we are in trouble. Ms. Mills stated this has been brought up before and the Board has decided not to report it. Mr. Howard stated this should be reported as income. Mr. Davis stated at a previous job the employee was charged \$3.00 per day for commuting. It showed up on our W-2. We had limited personnel use, on our way to and from work we were allowed to stop. Holt stated another scenario is that one of employees is on their way to work and are dropping their daughter off at school on their way to work and she is severely injured and it is an un-insured motorist. They can't place coverage on that vehicle, only we can do that. That is someone is legitimately on their way to work. Altman stated one way to cover it is a per diem limited personal use and apply it towards the \$80.00 coverage. Ms. Mills stated she can have Kim research the record, but it was the Board's previous issue that they would not be charged and it would not be put on the W-2. Holt stated regardless, worker's comp is a cruel way to treat an employee who has been hit by an un-insured motorist. Altman stated her opinion is that it should be optional for those who have vehicles if they care to cover out of pocket for the additional coverage. That is an option for a take home vehicle. Dillinger asked how would you administer that? Altman stated she thinks we have a problem with the current vehicles on the commute alone, unless vehicles go home for specific reasons. Mr. Howard stated if they are on call or they may have to go directly to a work site from home then we are alright on commute. Anything above that is income. Altman stated if an accident happens during work hours, we would still have worker's comp. Holt stated that is a cruel trick on an employee. Altman asked if we don't have to sign this today, let's have Mr. Fearrin come in and explain his reasoning. Dillinger agreed. Altman motioned to table. Dillinger seconded. Motion carried unanimously.

Sheriff [4:02:06]

Replacement of Sheriff's Vehicle:

Mr. Jeff Rushforth stated a Sheriff's vehicle was damaged. This vehicle was scheduled for replacement. Mr. Rushforth stated the dealership will not trade it in with the damage. Mr. Rusforth would like to sell the vehicle at the Sheriff's auction and the proceeds from the insurance and the sale of the vehicle go towards the purchase of the new vehicle. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Holt adjourned the meeting. [4:03:41]

Commissioner's Correspondence

Ted Melvin withdraw of rezone request
E911 Committee Report
Conner Prairie News Release
INDOT Letter to Amy Mink

Beam, Longest and Neff Notice of Transmittals:

Bridge No. 208, Field Drive over White River
Habitat Replacement Plan

INDOT Notice of Public Hearing:

US 31 Improvement Project

IDEM Notice of Sewer Permit Applications:

Claybourne, Section 2 - Carmel
Hayden Run, Section 2 - Carmel
Saddle Creek, Section 12 - Carmel
Clarian North Women's and Children's Hospital - Carmel
Mud Creek SS/Mud Creek LS/Saxony/Tanglewood, Section 1 - Fishers
Sandpiper Forest, Lots 1-3 - Westfield
Riverview Medical Park at Hazel Dell Parkway - Carmel
The Ridge at Hayden Run, Sections 1 & 2 - Carmel
Ballantrae Subdivision - Carmel
Princeton Lakes Apartments - Noblesville
Wareham's Pond, Section 1 - Cicero
Brookside Lift Station and Force Main - Westfield

IDEM Notice of Appeal Rights:

Sandstone Meadows, Section 5 - Fishers
Arbor Grove, Section 2 - Noblesville
Barrington Estates Lift Station - Noblesville
Blessed Theodore Guerin High School - Noblesville
Sandpiper Forest, Lots 1-3 - Westfield
Weaver Farms - Noblesville
Meadow Brook Village, Section 4 - Fishers

IDEM Notice of Decision - Approval:

Shell Oil Products

IDEM Eight Hour Ozone Standard Designations
DNR Notice of Community Assistance Visit
DNR Analysis of Rehabilitation of Bridge #191, Olio Road over Geist Reservoir

Certificate of Liability Insurance:
Adams Water & Sewer

Present:

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Marc Bowen, Sheriff's, Department
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Patricia Ogden, Highway Public Service Representative
Mark Fisher, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Hahn, Highway Department
Dennis Neidh, EDIS, Inc.
Tom DeKlyen, Gradex, Inc.
David Belloli, Milestone Contractors
Craig Howing, Gale Tschour, Co.
R. Miller, Tebco, Inc.
Becki Wise, USI
Kathy Howard, Highway Department
Jack Larrison, Highway
Dick Harvey, George R. Harvey & Sons, Inc.
Lloyd Andrews, Non-access easement
Michael Joson, Rieth-Riley Construction
Tom Parten, Rieth-Riley Construction
Charley Highsmith, Schutt-Lookabill, Co.
Joe Long, Carpenters, R.G.
Jose Kreutz, Brenwick, Development
Brett Quandt, Quandt, Inc.
Clinton Sparks, American Consulting, Inc.
Joseph Schmeltzer, American Consulting, Inc.
Michael Oberfell, USI Consultants
Diana Lamirand, Noblesville Ledger
Sandy Stewart, PrimeLife Enrichment
George Piper, Noblesville Daily Times

Jim Gillaspy, Indianapolis Star
Floyd Burroughs, Floyd Burroughs & Associates
Kathy Richardson, Voter's Registration
Tammy Baitz, Clerk
Sheena Randall, Human Resources Director
John Ditslear, Agent of Record - Insurance
Mark ?, Hamilton County Area Neighborhood Development
Jeff Apple, Sheridan Airport
Brian Myers, Sheridan Airport
Teresa Thomas, Prosecutor's Office
Scott Warner, Buildings & Grounds
Jeffrey Rushforth, Safety & Risk Management
Troy Halsell, Noblesville Housing Authority
Constance M. Jones, Habitat for Humanity
Marcia Brown, Community Caring Foundation
Barbara L. Richards, League of Women's Voters of Hamilton County
Margaret Charnoski, St. Vincent Carmel Hospital

APPROVED